

**From:** Michael Nicholson  
**To:** Microsoft ATR  
**Date:** 12/13/01 12:37pm  
**Subject:** Against the Microsoft Settlement

Dear DOJ:

I've been following the trial since its inception, years and years ago. I am still in a state of shock and disbelief, since after all this time and stalling Microsoft is poised to get away with their crimes and perpetuate more crimes. And they may be able to "force" the settlement on the hold-out states?

I find this unacceptable.

Microsoft argues that the process is now at the remedy stage, and that punishment should not be doled out. How can this argument be logical in any sense? Any remedy that reduces Microsoft's potential to remain a monopoly is, by default, a punishment. Therefore, to stay a punishment is to withhold a remedy.

I do not agree with the terms of the remedy that the DOJ and the compliant states have worked out with Microsoft. I believe that the proposed "remedy" will open doors for Microsoft in the education market. This is clearly in Microsoft's best interest. I also don't agree that Microsoft will lose incentive to innovate if they are forced to expose code for some of their software or if their software cannot be bundled with the operating system.

The name of the game is consumer choice. I am with the hold-out states, California, Massachusetts, Connecticut, Iowa, Florida, Kansas, Minnesota, West Virginia, and Utah, as well as the District of Columbia, in my desire to hold Microsoft to a more stringent remedy to their Anti-Trust and Monopolistic policies and practices.

Sincerest regards,

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